

REMARKS

Applicants object to the requirement that the title be “clearly indicative of the invention to which the claims are directed”. It is respectfully submitted that § 1.72 (a) merely requires that

The title of the invention may not exceed 500 characters in length and must be as short and specific as possible.

The newly submitted title has only 52 characters (including spaces) and no longer uses terminology (such as “synthesis”, “de-synthesis”, “outcome”, or “system”) which the examiner has questioned as not being clearly defined.

Applicants respectfully traverse the rejection under 35 USC § 112. The examiner appears to be giving an overly expansive interpretation of the words in question. In particular, applicants’ understanding of the word “synthesis” should be apparent from the example of paragraph 36 on pages 5 and 6 (in which the word “synthesis” is underlined). Nevertheless, in the interest of advancing prosecution, “synthesis” has been replaced with “integration”, a perhaps more commonly understood term which the examiner has acknowledged to be a concept that is included within the possible meanings of “synthesis”.

Similarly, “de-synthesis” has been replaced with “reduction”, a concept not only specifically recited in original claim 6 (and discussed at length in the original specification under the heading “Outcome-Driven Work Flow Reduction Process”), but also explained in paragraph 37 on page 6 (in which the word “reduction” is underlined).

As to “outcome”, this term is explicitly defined in the specification (paragraph 46 on page 7).

The examiner’s concerns about the use of the term “system” in amended claims 4 and 14 is not understood. The elements in question have been clearly recited in accordance with the last paragraph of § 112. In any event, this objection is moot in view of the cancellation of these claims.

In response to the “non-statutory” rejection under § 101, the process claims have been amended to recite that the claimed process is “computerized” and that at least some of the recited steps are performed “automatically”, eg, with the assistance of a computer, and thus these claims as amended are now clearly within what has traditionally been considered to be the technological arts. rather than merely directed to an unpatentable abstract idea.

The rejection of all claims as being unpatentable under § 103 over Microsoft Project 2000 (as documented in references A, B and C) is respectfully traversed. As a preliminary matter it is noted for the record that correspondingly numbered claims 1, 2, 12 and 13 have already been indicated by the European Patent Office in its capacity as IPEA to satisfy the requirements of novelty and inventive step under the PCT, over other prior art which appears to be at least as relevant as MS Project 2000. In the interest of advancing prosecution of this application, all other claims have been cancelled without prejudice to the possibility of pursuing similar claims in related applications. For the examiner's convenience, a copy of the PCT IPER and referenced annexes is attached.

In particular, any inherent capabilities within MS Project 2000 for "inserting" additional workflows into an existing WBS is not automatic, but rather requires manual identification of activities to be added, manual specification of any relevant linkages/dependencies, and manual creation of any required summary activities. Moreover, MS Project 2000 does not provide any convenient means (such as that shown in Applicants' Fig 2) for organizing a shared library of "elementary" activities and related "elementary" activity dependencies in a format which facilitates the full integration of selected activities into an existing WBS workflow or template that already includes other activities from that same library, a concept now specifically recited in dependent claims 16 and 17. Thus, not only is MS Project 2000 incapable of performing the recited process steps "automatically", it provides no suggestion or motivation for implementing such an automated process.

Similarly, with respect to the recited automatic "reduction" steps recited in dependent claims 2 and 13, MS Project 2000 does not provide any convenient means for identifying which elementary activities are involved only with undesired outcomes, and which are involved not only with an undesired outcome, but also with a desired outcome.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Application No.: 09/801,366

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Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0337, under Order No. LA-7340-101US from which the undersigned is authorized to draw.

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Respectfully submitted,

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